

**Calendar No. 128**

108TH CONGRESS  
1ST SESSION

**S. 635**

**[Report No. 108–64]**

To amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 17, 2003

Mr. HATCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 8, 2003

Reported by Mr. DOMENICI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pioneer National His-  
3 toric Trails Studies Act”.

4 **SEC. 2. REVISION OF FEASIBILITY AND SUITABILITY STUD-**  
5 **IES OF EXISTING NATIONAL HISTORIC**  
6 **TRAILS.**

7 The National Trails System Act is amended by in-  
8 serting after section 5 (16 U.S.C. 1244) the following new  
9 section:

10 **“SEC. 5A. REVISION OF FEASIBILITY AND SUITABILITY**  
11 **STUDIES OF EXISTING TRAILS FOR POSSIBLE**  
12 **TRAIL EXPANSION.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) ROUTE.—The term ‘route’ includes a trail  
15 segment commonly known as a cutoff.

16 “(2) SHARED ROUTE.—The term ‘shared route’  
17 means a route that was a segment of more than one  
18 historic trail, including a route shared with an exist-  
19 ing national historic trail.

20 “(b) GENERAL RULES.—

21 “(1) STUDY REQUIREMENTS AND OBJEC-  
22 TIVES.—The study requirements and objectives spec-  
23 ified in section 5(b) shall apply to a study required  
24 by this section.

25 “(2) COMPLETION AND SUBMISSION OF  
26 STUDY.—Not later than three complete fiscal years

1 after the date of the enactment of this section, the  
 2 Secretary shall complete and submit to Congress the  
 3 studies required by subsections (e) through (g). In  
 4 the case of a study added to this section after that  
 5 date, the study shall be completed and submitted to  
 6 Congress not later than three complete fiscal years  
 7 after the date of the enactment of the law adding  
 8 the study to this section.

9 “(e) OREGON NATIONAL HISTORIC TRAIL.—The  
 10 Secretary of the Interior shall undertake a study of the  
 11 routes of the Oregon Trail, as generally depicted on the  
 12 map entitled ‘Western Emigrant Trails 1830/1870’ and  
 13 dated 1991/1993, and such other routes of the Oregon  
 14 Trail that the Secretary considers appropriate, to deter-  
 15 mine the feasibility and suitability of designation of one  
 16 or more of the routes as components of the Oregon Na-  
 17 tional Historic Trail. The routes to be studied under this  
 18 subsection include the following:

19 “(1) Whitman Mission route.

20 “(2) Upper Columbia River.

21 “(3) Cowlitz River route.

22 “(4) Meek cutoff.

23 “(5) Free Emigrant Road.

24 “(6) North Alternate Oregon Trail.

25 “(7) Goodale’s cutoff.

1           ~~“(8) North Side alternate route.~~

2           ~~“(9) Cutoff to Barlow Road.~~

3           ~~“(10) Naches Pass Trail.~~

4           ~~“(d) PONY EXPRESS NATIONAL HISTORIC TRAIL.—~~

5     ~~The Secretary of the Interior shall undertake a study of~~  
6     ~~the approximately 20-mile southern alternative route of~~  
7     ~~the Pony Express Trail from Wathena, Kansas, to Troy,~~  
8     ~~Kansas, and such other routes of the Pony Express Trail~~  
9     ~~that the Secretary considers appropriate, to determine the~~  
10    ~~feasibility and suitability of designation of one or more~~  
11    ~~of the routes as components of the Pony Express National~~  
12    ~~Historic Trail.~~

13          ~~“(e) CALIFORNIA NATIONAL HISTORIC TRAIL.—The~~  
14    ~~Secretary of the Interior shall undertake a study of certain~~  
15    ~~Missouri Valley, central, and western routes of the Cali-~~  
16    ~~formia Trail, as generally depicted on the map entitled~~  
17    ~~‘Western Emigrant Trails 1830/1870’ and dated 1991/~~  
18    ~~1993, and such other and shared Missouri Valley, central,~~  
19    ~~and western routes that the Secretary considers appro-~~  
20    ~~priate, to determine the feasibility and suitability of des-~~  
21    ~~ignation of one or more of the routes as components of~~  
22    ~~the California National Historic Trail. The routes to be~~  
23    ~~studied under this subsection include the following:~~

24           ~~“(1) MISSOURI VALLEY ROUTES.—~~

25           ~~“(A) Blue Mills-Independence Road.~~

- 1                   ~~“(B) Westport Landing Road.~~
- 2                   ~~“(C) Westport-Lawrence Road.~~
- 3                   ~~“(D) Fort Leavenworth-Blue River route.~~
- 4                   ~~“(E) Road to Amazonia.~~
- 5                   ~~“(F) Union Ferry Route.~~
- 6                   ~~“(G) Old Wyoming-Nebraska City cutoff.~~
- 7                   ~~“(H) Lower Plattsmouth Route.~~
- 8                   ~~“(I) Lower Bellevue Route.~~
- 9                   ~~“(J) Woodbury cutoff.~~
- 10                  ~~“(K) Blue Ridge cutoff.~~
- 11                  ~~“(L) Westport Road.~~
- 12                  ~~“(M) Gum Springs-Fort Leavenworth~~  
13                  ~~route.~~
- 14                  ~~“(N) Atchison/Independence Creek routes.~~
- 15                  ~~“(O) Fort Leavenworth-Kansas River~~  
16                  ~~route.~~
- 17                  ~~“(P) Nebraska City cutoff routes.~~
- 18                  ~~“(Q) Minersville-Nebraska City Road.~~
- 19                  ~~“(R) Upper Plattsmouth route.~~
- 20                  ~~“(S) Upper Bellevue route.~~
- 21                  ~~“(2) CENTRAL ROUTES.—~~
- 22                  ~~“(A) Cherokee Trail, including splits.~~
- 23                  ~~“(B) Weber Canyon route of Hastings cut-~~  
24                  ~~off.~~
- 25                  ~~“(C) Bishop Creek cutoff.~~

1                   ~~“(D) McAuley cutoff.~~

2                   ~~“(E) Diamond Springs cutoff.~~

3                   ~~“(F) Secret Pass.~~

4                   ~~“(G) Greenhorn cutoff.~~

5                   ~~“(H) Central Overland Trail.~~

6                   ~~“(3) WESTERN ROUTES.—~~

7                   ~~“(A) Bidwell-Bartleson route.~~

8                   ~~“(B) Georgetown/Dagget Pass Trail.~~

9                   ~~“(C) Big Trees Road.~~

10                  ~~“(D) Grizzly Flat cutoff.~~

11                  ~~“(E) Nevada City Road.~~

12                  ~~“(F) Yreka Trail.~~

13                  ~~“(G) Henness Pass route.~~

14                  ~~“(H) Johnson cutoff.~~

15                  ~~“(I) Luther Pass Trail.~~

16                  ~~“(J) Volcano Road.~~

17                  ~~“(K) Sacramento-Coloma Wagon Road.~~

18                  ~~“(L) Burnett cutoff.~~

19                  ~~“(M) Placer County Road to Auburn.~~

20                  ~~“(f) MORMON PIONEER NATIONAL HISTORIC~~

21 ~~TRAIL.—The Secretary of the Interior shall undertake a~~

22 ~~study of certain routes of the Mormon Pioneer Trail, as~~

23 ~~generally depicted on the map entitled ‘Western Emigrant~~

24 ~~Trails 1830/1870’ and dated 1991/1993, and such other~~

25 ~~routes of the Mormon Pioneer Trail that the Secretary~~

1 considers appropriate, to determine the feasibility and  
 2 suitability of designation of one or more of the routes as  
 3 components of the Mormon Pioneer National Historic  
 4 Trail. The routes to be studied under this subsection in-  
 5 clude the following:

6           “(1) 1846 Subsequent routes A and B (Lucas  
 7           and Clarke Counties, Iowa).

8           “(2) 1856–57 Handcart route (Iowa City to  
 9           Council Bluffs).

10           “(3) Keokuk route (Iowa).

11           “(4) 1847 Alternative Elkhorn and Loup River  
 12           Crossings in Nebraska.

13           “(5) Fort Leavenworth Road, including the Ox  
 14           Bow route and alternates in Kansas and Missouri  
 15           (Oregon and California Trail routes used by Mor-  
 16           mon emigrants).

17           “(6) 1850 Golden Pass Road in Utah.

18           “(g) SHARED CALIFORNIA AND OREGON TRAIL

19 ROUTES.—The Secretary of the Interior shall undertake  
 20 a study of certain shared routes of the California Trail  
 21 and Oregon Trail, as generally depicted on the map enti-  
 22 tled ‘Western Emigrant Trails 1830/1870’ and dated  
 23 1991/1993, and such other shared routes that the Sec-  
 24 retary considers appropriate, to determine the feasibility  
 25 and suitability of designation of one or more of the routes

1 as shared components of the California National Historic  
 2 Trail and the Oregon National Historic Trail. The routes  
 3 to be studied under this subsection include the following:

4 “(1) St. Joe Road.

5 “(2) Council Bluffs Road.

6 “(3) Sublette cutoff.

7 “(4) Applegate route.

8 “(5) Old Fort Kearny Road (Oxbow Trail).

9 “(6) Childs cutoff.

10 “(7) Raft River to Applegate.”

11 **SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY**

12 **STUDIES OF EXISTING NATIONAL HISTORIC**

13 **TRAILS.**

14 *Section 5 of the National Trails System Act (16 U.S.C.*  
 15 *1244) is amended by inserting the following new subsection:*

16 “(g) *The Secretary shall revise the feasibility and suit-*  
 17 *ability studies for certain national trails for consideration*  
 18 *of possible additions to the trails.*

19 “(1) *IN GENERAL.—*

20 “(A) *DEFINITIONS.—In this subsection:*

21 “(i) *ROUTE.—The term ‘route’ includes*  
 22 *a trail segment commonly known as a cut-*  
 23 *off.*

24 “(ii) *SHARED ROUTE.—The term*  
 25 *‘shared route’ means a route that was a seg-*

1           *ment of more than one historic trail, in-*  
 2           *cluding a route shared with an existing na-*  
 3           *tional historic trail.*

4           “(B) *STUDY REQUIREMENTS AND OBJEC-*  
 5           *TIVES.—The study requirements and objectives*  
 6           *specified in subsection (b) shall apply to a study*  
 7           *required by this subsection.*

8           “(C) *COMPLETION AND SUBMISSION OF*  
 9           *STUDY.—A study listed in this subsection shall*  
 10          *be completed and submitted to the Congress not*  
 11          *later than three complete fiscal years from the*  
 12          *date funds are made available for the study.*

13          “(2) *OREGON NATIONAL HISTORIC TRAIL.—*

14               “(A) *STUDY REQUIRED.—The Secretary of*  
 15               *the Interior shall undertake a study of the routes*  
 16               *of the Oregon Trail listed in subparagraph (B)*  
 17               *and generally depicted on the map entitled*  
 18               *‘Western Emigrant Trails 1830/1870’ and dated*  
 19               *1991/1993, and of such other routes of the Or-*  
 20               *egon Trail that the Secretary considers appro-*  
 21               *priate, to determine the feasibility and suit-*  
 22               *ability of designation of one or more of the*  
 23               *routes as components of the Oregon National*  
 24               *Historic Trail.*

“(B) *COVERED ROUTES.*—*The routes to be studied under subparagraph (A) shall include the following:*

“(i) *Whitman Mission route.*

“(ii) *Upper Columbia River.*

“(iii) *Cowlitz River route.*

“(iv) *Meek cutoff.*

“(v) *Free Emigrant Road.*

“(vi) *North Alternate Oregon Trail.*

“(vii) *Goodale’s cutoff.*

“(viii) *North Side alternate route.*

“(ix) *Cutoff to Barlow road.*

“(x) *Naches Pass Trail.*

“(3) *PONY EXPRESS NATIONAL HISTORIC TRAIL.*—*The Secretary of the Interior shall undertake a study of the approximately 20-mile southern alternative route of the Pony Express Trail from Wathena, Kansas, to Troy, Kansas, and such other routes of the Pony Express Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Pony Express National Historic Trail.*

“(4) *CALIFORNIA NATIONAL HISTORIC TRAIL.*—

“(A) *STUDY REQUIRED.*—*The Secretary of the Interior shall undertake a study of the Mis-*

1        *souri Valley, central, and western routes of the*  
 2        *California Trail listed in subparagraph (B) and*  
 3        *generally depicted on the map entitled ‘Western*  
 4        *Emigrant Trails 1830/1870’ and dated 1991/*  
 5        *1993, and of such other and shared Missouri*  
 6        *Valley, central, and western routes that the Sec-*  
 7        *retary considers appropriate, to determine the*  
 8        *feasibility and suitability of designation of one*  
 9        *or more of the routes as components of the Cali-*  
 10       *fornia National Historic Trail.*

11                “(B) COVERED ROUTES.—*The routes to be*  
 12                *studied under subparagraph (A) shall include the*  
 13                *following:*

14                        “(i) MISSOURI VALLEY ROUTES.—

15                                “(I)    *Blue    Mills-Independence*  
 16                                *Road.*

17                                “(II) *Westport Landing Road.*

18                                “(III) *Westport-Lawrence Road.*

19                                “(IV)    *Fort    Leavenworth-Blue*  
 20                                *River route.*

21                                “(V) *Road to Amazonia.*

22                                “(VI) *Union Ferry Route.*

23                                “(VII)    *Old    Wyoming-Nebraska*  
 24                                *City cutoff.*

25                                “(VIII) *Lower Plattsmouth Route.*

1 “(IX) *Lower Bellevue Route.*

2 “(X) *Woodbury cutoff.*

3 “(XI) *Blue Ridge cutoff.*

4 “(XII) *Westport Road.*

5 “(XIII) *Gum Springs-Fort Leav-*  
6 *enworth route.*

7 “(XIV) *Atchison/Independence*  
8 *Creek routes.*

9 “(XV) *Fort Leavenworth-Kansas*  
10 *River route.*

11 “(XVI) *Nebraska City cutoff*  
12 *routes.*

13 “(XVII) *Minersville-Nebraska*  
14 *City Road.*

15 “(XVIII) *Upper Plattsmouth*  
16 *route.*

17 “(XIX) *Upper Bellevue route.*

18 “(ii) *CENTRAL ROUTES.—*

19 “(I) *Cherokee Trail, including*  
20 *splits.*

21 “(II) *Weber Canyon route of*  
22 *Hastings cutoff.*

23 “(III) *Bishop Creek cutoff.*

24 “(IV) *McAuley cutoff.*

25 “(V) *Diamond Springs cutoff.*

1 “(VI) *Secret Pass.*

2 “(VII) *Greenhorn cutoff.*

3 “(VIII) *Central Overland Trail.*

4 “(iii) *WESTERN ROUTES.—*

5 “(I) *Bidwell-Bartleson route.*

6 “(II) *Georgetown/Dagget Pass*  
7 *Trail.*

8 “(III) *Big Trees Road.*

9 “(IV) *Grizzly Flat cutoff.*

10 “(V) *Nevada City Road.*

11 “(VI) *Yreka Trail.*

12 “(VII) *Hennes Pass route.*

13 “(VIII) *Johnson cutoff.*

14 “(IX) *Luther Pass Trail.*

15 “(X) *Volcano Road.*

16 “(XI) *Sacramento-Coloma Wagon*  
17 *Road.*

18 “(XII) *Burnett cutoff.*

19 “(XIII) *Placer County Road to*  
20 *Auburn.*

21 “(5) *MORMON PIONEER NATIONAL HISTORIC*  
22 *TRAIL.—*

23 “(A) *STUDY REQUIRED.—The Secretary of*  
24 *the Interior shall undertake a study of the routes*  
25 *of the Mormon Pioneer Trail listed in subpara-*

graph (B) and generally depicted in the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other routes of the Mormon Pioneer Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Mormon Pioneer National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

“(i) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).

“(ii) 1856–57 Handcart route (Iowa City to Council Bluffs).

“(iii) Keokuk route (Iowa).

“(iv) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.

“(v) Fort Leavenworth Road; Ox Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).

“(vi) 1850 Golden Pass Road in Utah.

“(6) SHARED CALIFORNIA AND OREGON TRAIL ROUTES.—

1           “(A) *STUDY REQUIRED.*—*The Secretary of*  
 2           *the Interior shall undertake a study of the shared*  
 3           *routes of the California Trail and Oregon Trail*  
 4           *listed in subparagraph (B) and generally de-*  
 5           *picted on the map entitled ‘Western Emigrant*  
 6           *Trails 1830/1870’ and dated 1991/1993, and of*  
 7           *such other shared routes that the Secretary con-*  
 8           *siders appropriate, to determine the feasibility*  
 9           *and suitability of designation of one or more of*  
 10           *the routes as shared components of the California*  
 11           *National Historic Trail and the Oregon National*  
 12           *Historic Trail.*

13           “(B) *COVERED ROUTES.*—*The routes to be*  
 14           *studied under subparagraph (A) shall include the*  
 15           *following:*

16                   “(i) *St. Joe Road.*

17                   “(ii) *Council Bluffs Road.*

18                   “(iii) *Sublette cutoff.*

19                   “(iv) *Applegate route.*

20                   “(v) *Old Fort Kearny Road (Oxbow*  
 21           *Trail).*

22                   “(vi) *Childs cutoff.*

23                   “(vii) *Raft River to Applegate.”.*

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**A BILL**

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**JUNE 8, 2003**

Reported with an amendment